

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SANDRA K. KRAUSE,

Plaintiff,

vs.

NEVADA MUTUAL INSURANCE COMPANY,
et al.,

Defendants.

2:13-cv-00976-APG-CWH

ORDER

This matter came before the Court on Plaintiff's Motion for Deferral and Extension of Time for Plaintiff to File Her Oppositions (#21), filed on June 21, 2013. Plaintiff requests a stay of the briefing schedule for the Motion to Consolidate (#6) and Motion to Dismiss (#8) along with the Motions to Seal (#15 - #18) until after she files a Motion to Remand. Plaintiff estimates that she will likely file a Motion to Remand within the next two weeks. As a result, Plaintiff asserts that Fed. R. Civ. P. 1 supports her request for a stay until the Motion to Remand is filed.

The Court has reviewed Plaintiff's Motion and finds that it does not comply with Local Rule ("LR") 6-1. "A request made after the expiration of the specified period shall not be granted unless the moving party, attorney, or other person demonstrates that the failure to act was the result of excusable neglect. Plaintiff failed to demonstrate that the filing of this motion for an extension less than 21 days before the expiration of the response deadlines to the Motion to Consolidate (#6) and Motion to Dismiss (#8), which was set for June 20, 2013, was the result of excusable neglect. In fact, Plaintiff merely footnoted that this request was late because of a miscalendar error by Counsel. However, the Court finds that a stay of the briefing schedule for the pending Motion to Consolidate, Motion to Dismiss, and Motions to Stay is not warranted in this case. The Court notes that the potential filing of another motion is not sufficient justification under the excusable neglect standard to stay the briefing. Nevertheless, the Court will grant

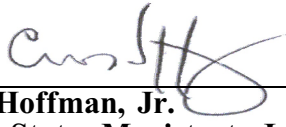
1 Plaintiff a limited extension of seven (7) days to file her Responses to the Motion to Consolidate
2 (#6) and Motion to Dismiss (#8).

3 Based on the foregoing and good cause appearing therefore,

4 **IT IS HEREBY ORDERED** that the Plaintiff's Motion for Deferral and Extension of
5 Time for Plaintiff to File Her Oppositions (#21) is **denied**.

6 **IT IS FURTHER ORDERED** that Plaintiff's Response to the Motion to Consolidate
7 (#6) and Motion to Dismiss (#8) is due within seven (7) days of this order, which is **July 2,**
8 **2013.**

9 DATED this 25th day of June, 2013.

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12 **C.W. Hoffman, Jr.**
13 **United States Magistrate Judge**
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